

Notice of Allowability

Application No.

10/005,629

Applicant(s)

ADYA ET AL.

Examiner

Art Unit

Merilyn P Nguyen

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/12/2005.
2. ☒ The allowed claim(s) is/are 22-28 and 56-70 and now renumbered as 1-22.
3. ☒ The drawings filed on 05 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 20050912
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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DETAILED ACTION

1. In response to the communication dated 09/12/2005, claims 22-28, and 56-70 are active in this application and in the condition for allowance. The reasons for allowance are stated in the previous Office Action mailed July 06, 2004 and also reiterated herein below for convenience.

Acknowledges

2. Receipt is acknowledged of the following items from the Applicant:
- The applicant's amendments and response dated 09/12/2005 have been considered.
 - Information Disclosure Statement (IDS) filed and made of record as Paper No. 20050912. The references cited on the PTOL 1449 form have been considered.

Response to Applicant's Remark

3. Claims 22-28 and 56-70 stand provisionally rejected (Office Action dated 08/29/2005) under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8 of copending Application No. 11/016,388. As this is a provisional rejection, and no other rejections remain in the present application, the provisional rejection have been withdrawn and in the condition for allowance.

It's noted that the copending Application No. 11/016,388 filled with a terminal disclaimer to obviate a provisional double patenting rejection over this instant application.

Allowable subject matter

4. The following is an examiner's statement of reason for allowance:

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The prior art of record (Neeman, U.S Patent No. 5,588,147, and Soltis, U.S Patent No. 6,493,804, and Matt Evans, "FTFS: The Design of A Fault Tolerant Distributed File-System") fails to disclose or suggest the claimed limitations of (in combination with all other features in the claim), generating a delegation certificate for the subtree, wherein the delegation certificate comprises a first digitally signed certificate identifying another group of computers responsible for managing a namespace root of the subtree and a second digitally signed certificate allowing authorization of the group of computers to manage the subtree to be traced to the other group of computers responsible for managing the namespace root, in conjunction with the remaining, salient claim provisions as claimed in claim 24. Similar features are claimed in claims 57 and 64; therefore, claims 57 and 64 are allowable over the prior art of record for the same reasons.

The prior art of record (Neeman, U.S Patent No. 5,588,147, and Soltis, U.S Patent No. 6,493,804, and Matt Evans, "FTFS: The Design of A Fault Tolerant Distributed File-System") fails to disclose or suggest the claimed limitations of (in combination with all other features in the claim), a serverless distributed file system having a first set, a second set, and a third set of a plurality of computers, wherein each set of the plurality of computers handles different functions as claimed, in the conjunction with the remaining, salient claim provisions as claimed in claim 56.

Claims 22, 23, 25-28, 58-63, and 65-70 are allowed over the prior art of record, because it is dependent from the allowed base claims.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

6. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) day from the day of this letter. Failure to respond within the period for response will cause the application to become abandoned (see M.P.E.P 710.02(b)).

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yuh-Jong Hu discloses, "Some Thoughts on Agent Trust and Delegation", 2001.

Borg-Kim discloses, "Digital signatures keep cyberstreets safe for shoppers", 1996.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Merilyn P Nguyen whose telephone number is 571-272-4026. The examiner can normally be reached on M-F: 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 703-746-7240 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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October 28, 2005


FRANTZ COBY
PRIMARY EXAMINER